

## **REMARKS**

The Specification has been amended to correct typographical errors only and, thus, does not present new matter. Claim 4 has been canceled and claims 1, 2, 11, and 16 have been amended. Claims 1-3, 5-22 are currently pending in the case. Further examination and reconsideration of the presently claimed application are respectfully requested.

### **Objections to the Specification**

The Specification was objected for an informality. The Office Action states that mistyping on page 7, line 18 of the Specification should be changed from "farther" to "further." The Specification has been amended in a manner that addresses the concerns expressed in the Office Action. Accordingly, removal of the objection to the Specification is respectfully requested.

### **Objections to the Drawings**

The drawings were objected to because Figures 1-3 should be designated by a legend such as "Prior Art" because only that which is old is illustrated. In response, a Request for Approval of Drawing Changes is included herewith in a separate paper. As illustrated on the accompanying drawings, Figures 1-3 have been amended to include a legend designating Figures 1-3 as Prior Art. Though not specifically cited against in the Office Action, Figure 7 has been amended to correct a reference number. Support for the amendment to Figure 7 may be found in the Specification, for example, on page 10, line 1. Applicants request approval of the drawing changes shown in red. Once approval is granted, the indicated changes will be incorporated into the final, formal drawings to be filed when the application is allowed.

### **Section 102 Rejections**

Claims 1-3, 6-15, and 18-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,684,669 to Collins et al. (hereinafter "Collins"). The standard for "anticipation" is one of fairly strict identity. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), MPEP 2131. The cited art does not teach

or suggest all limitations of the currently pending claims, some distinctive limitations of which are set forth in more detail below.

**Collins does not teach or suggest a current monitor adapted for measuring a current proportional to an applied lifting force provided by a lifting mechanism.** Amended independent claim 1 recites in part: “a sensor adapted to measure a force due to the electrostatic attraction, wherein said force is in opposition to an applied forced provided by the lifting mechanism, and wherein the sensor comprises a current monitor adapted for measuring a current proportional to the applied lifting force.” Amended independent claim 11 recites a similar limitation. Support for the amendment to claims 1 and 11 may be found in the Specification, for example, on page 8, lines 6-8.

Collins simply does not teach or suggest a current monitor adapted for measuring a current proportional to an applied lifting force provided by a lifting mechanism. Instead Collins discloses a capacitive manometer monitoring the “pressure of the heat transfer gas ... indicia of the lifting force being applied.” (Collins--column 8, lines 28-30.) In fact, the Office Action admits in the section entitled “Claim Rejections - 35 USC § 103” that Collins does not disclose a current monitor claimed, e.g., in currently canceled dependent claim 4 (Office Action -- page 5). As noted above, independent claims 1 and 11 have been amended to include the current monitor from canceled claim 4. Therefore, Collins cannot teach or suggest all limitations of amended independent claim 1 and 11.

For at least the reasons set forth above, Collins does not teach or suggest all limitations of independent claims 1 and 11. Therefore, claims 1 and 11, as well as claims dependent therefrom, are patentably distinct over the cited art. Accordingly, Applicants respectfully request removal of the § 102(b) rejection of claims 1-3, 6-15, and 18-22.

### **Section 103 Rejections**

Claims 4, 5, 16, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Collins in view of U.S. Patent No. 6,304,424 to Mett et al. (hereinafter “Mett”). To establish a *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974); MPEP 2143.03. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992); and, MPEP

2143.01. None of the cited art teaches or suggests all limitations of the currently pending claims, some distinctive limitations of which are set forth in more detail below.

**None of the cited art can be modified or combined to teach or suggest measuring a current proportional to the applied lifting force provided by a lifting mechanism.** As noted above, amended independent claim 1 and 11 recite a current monitor adapted for measuring a current proportional to an applied lifting force provided by a lifting mechanism. As stated above, Collins does not teach or suggest measuring a current proportional to the applied lifting force provided by a lifting mechanism. In addition, Mett cannot be combined with Collins to overcome the deficiencies therein. Mett discloses a method and apparatus for retaining a substrate (e.g., a semiconductor wafer) upon an electrostatic chuck. (Mett -- Abstract). However, Mett fails to even mention any means by which the substrate may be released from the electrostatic chuck. Therefore, Mett cannot teach or suggest a system or method of releasing a substrate, which includes measuring a current proportional to an applied lifting force provided by a lifting mechanism.

Furthermore, modification of the circuitry of Collins to include the current monitor of Mett, as suggested in the Office Action, would render the invention of Collins unsatisfactory for its intended purpose. If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). For example, Collins discloses a lifting force of a lifting mechanism “is applied by the pressure of the heat transfer gas and the force is monitored using a flow rate gauge (e.g., a gas flow monitor) within the gas supply. Alternatively, the pressure of the heat transfer gas could also be monitored...as an indicia of the lifting force being applied.” (Collins -- column 8, lines 24-30.) However, it is impossible to substitute a current monitor of Mett for the flow rate gauge of Collins, since the substituted current monitor would not be adapted to measure the pressure of the heat transfer gas, and therefore, could not indicate “the lifting force being applied.” In other words, a current monitor is only adapted to measure current flow - not gas pressure - and thus, cannot be included within the circuitry of Collins, since doing so would render the invention of Collins unsatisfactory for its intended purpose. Consequently, Mett cannot be combined with Collins to overcome the deficiencies therein.

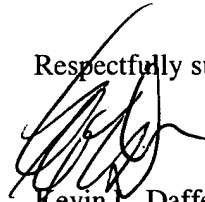
For at least the reasons set forth above, neither Collins nor Mett, either individually or in combination, teach or suggest, or provide motivation to teach or suggest all limitations of independent claims 1 and 11. Therefore, claims 1 and 11, as well as claims dependent therefrom, are patentably distinct over the cited art. Accordingly, Applicants respectfully request removal of the § 103(a) rejection of claims 4, 5, 16, and 17.

### CONCLUSION

This response constitutes a complete response to all issues raised in the Office Action mailed January 2, 2003. In view of the remarks traversing rejections, Applicants assert that pending claims 1-3 and 5-22 are in condition for allowance. If the Examiner has any questions, comments, or suggestions, the undersigned attorney earnestly requests a telephone conference.

No fees are required for filing this amendment; however, the Commissioner is authorized to charge any additional fees, which may be required, or credit any overpayment, to LSI Logic Corporation, Deposit Account No. 12-2252/01-207.

Respectfully submitted,



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